

EXHIBIT

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**DECLARATION OF KENT WOERNER
PURSUANT TO 28 U.S.C. § 1746**

I, Kent Woerner, hereby state that I have personal knowledge of the facts set forth below.

If called as a witness, I could and would testify as follows:

1. I am a U.S. citizen over the age of 18.
2. I am the Network Administrator for the Unified School District 273. This District covers the Preschool, Elementary School, and Junior/Senior High School in Beloit, Kansas, and I have been employed with them for over 9 years. My duties include, but are not limited to managing and supporting the computer networks for District 273.
3. In March 2008, I was informed by a teacher in the Elementary School that a 6th grade female student was using a computer in the 6th grade classroom for an after-school project. While this student was using the computer, a pop up advertisement appeared on the computer displaying what appeared to be a scan in progress of the computer along with pornographic images that were supposedly on the computer.
4. The teacher emailed me and asked me to come to the classroom to look at the computer. The computer runs Windows XP.
5. Since I was not sure which website the student was on when the pop up advertisement appeared, I looked at the log file history of the computer and found the website to which the popup redirected the student. The website is called Advancedcleaner.com.
6. I went directly to the website and received the same pop up advertisement that the teacher described to me that the student received. The advertisement appears to be a scan of your computer. There is a bar that goes across the screen that simulates a scanner, it lists files that the scanner is supposedly checking, and every few minutes pornographic

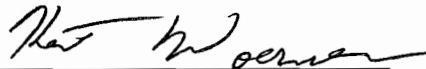
pictures appeared with text that said these pictures were found on the computer. The scanner also said that it found viruses and spyware on the computer.

7. The pornographic images would pop up for several seconds, then disappear. This happened several times throughout the "scanning process." One picture was of a woman performing oral sex.
8. Once the "scan" was complete, it asked me to purchase the software, Advanced Cleaner.
9. I closed the pop up window, but it kept appearing on my computer. I had to press ctrl/alt/delete to call up the task manager and then close out of Internet Explorer in order to get rid of the advertisement. After I did that I searched the hard drive of the computer for the pornographic images the scanner said were on the computer, and there were no such pornographic images on the computer. I then ran my antivirus software and it said that the computer was clean and had no viruses or spyware.
10. I went to the exact same URL on two other computers, my workstation in my office and on the filtering server, and received the exact same pop up advertisement with the exact same scan. The scan said that I had the exact same number of pornographic pictures on my computer as I did the first time I saw the pop up advertisement.
11. I had earlier suspected that the pop up advertisement was just a shockwave or flash movie (a movie played within the advertisement) and not really a true scan, and my tests

on the other two computers confirmed my suspicion.

I state under penalty of perjury under the laws of the United States of America that the foregoing is true and accurate.

Date: 10-30-2008


Kent Woerner